

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, *et al.*,

*Plaintiffs,*

v.

TYSON FOODS, INC., *et al.*,

*Defendants.*

No. 4:05-cv-329-GKF-SH

**PLAINTIFFS' STATUS REPORT**

On this 26<sup>th</sup> day of October 2023, the Plaintiffs submit this status report:

1. The Court entered an Order on June 12, 2023, that ordered the Parties to mediation.
2. The Court further ordered the Parties to submit a Joint Status Report within fourteen (14) days following conclusion of the mediation.
3. The Defendants and Plaintiffs engaged in *ex parte* mediation sessions with retired Tenth Circuit Judge Deanell Reece Tacha on September 13 and 14, 2023, respectively.
4. The Parties engaged in an all-day in-person mediation session with Judge Tacha in Tulsa on October 12, 2023.
5. The mediation was unsuccessful, and Judge Tacha deemed it concluded at the close of the October 12, 2023, session.
6. The Plaintiffs submit this Status Report within the required timeframe to fulfill the Court's directive.
7. Because the Parties have not been able to reach a mutually agreeable resolution of this matter, the Plaintiffs request the Court set a deadline of December 1, 2023, for each Party to submit a proposed journal entry of judgment, together with any supporting briefing concerning that Party's proposed journal entry of judgment.
8. On or about October 18, 2023, Counsel for the Plaintiffs conferred with Counsel for the Defendants concerning whether the Defendants would join in this status report. Counsel

for the Defendants did not agree to join in this status report.

For the foregoing reasons, the Plaintiffs respectfully request that this Court enter an order setting a deadline of December 1, 2023, for each Party to submit a proposed journal entry of judgment, together with any supporting briefing concerning that Party's proposed journal entry of judgment.

Respectfully,



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Gentner Drummond, OBA #16645

*Attorney General*

Garry M. Gaskins, II, OBA #20212

*Solicitor General*

Jennifer L. Lewis, OBA #32819

*Deputy Attorney General*

313 N.E. 21st Street

Oklahoma City, OK 73105

(405) 521-3921

On Behalf of the Plaintiffs,

STATE OF OKLAHOMA, ex rel.

GENTNER

DRUMMOND, in his capacity as Attorney General of the State of Oklahoma and OKLAHOMA SECRETARY OF ENERGY AND ENVIRONMENT KEN McQUEEN, in his capacity as the TRUSTEE FOR NATURAL RESOURCES FOR THE STATE OF OKLAHOMA

**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of October 2023, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the ECF registrants with entries of appearance filed of record.



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Garry M. Gaskins, II, OBA #20212  
*Solicitor General*